

1 STEVEN BENITO RUSSO
Chief of Enforcement
2 AMY BISSON HOLLOWAY
Senior Commission Counsel
3 **FAIR POLITICAL PRACTICES COMMISSION**
428 J Street, Suite 620
4 Sacramento, CA 95814
Telephone: (916) 322-5660
5 Facsimile: (916) 322-1932
6 Attorneys for Complainant

7
8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
9 STATE OF CALIFORNIA
10
11

12 In the Matter of) FPPC No.: 00/851
13)
14) STIPULATION, DECISION and ORDER
15)
16)
17)
18)
19)
20)
21)
22)
23)
24)
25)
26)
27)
28)
18 Respondents.

18 The complainant, Executive Director of the Fair Political Practices Commission, Wayne K.
19 Strumpfer, and Respondents, Eris H. Wagner, and Eris Wagner for Superior Court Judge, hereby agree
20 that this Stipulation will be submitted for consideration by the Fair Political Practices Commission at its
21 next regularly scheduled meeting.

22 The parties agree to enter into this Stipulation to resolve all factual and legal issues raised in this
23 matter and to reach a final disposition without the necessity of holding an administrative hearing to
24 determine the liability of the Respondents.

25 Respondents understand and hereby knowingly and voluntarily waive any and all procedural
26 rights under Government Code sections 83115.5 and 11503, and Title 2, California Code of Regulations
27 section 18361, including but not limited to the issuance and receipt of an accusation, and the right to be
28 represented by an attorney at Respondents' own expense, to appear personally in any administrative

1 hearing held in this matter, to confront and cross-examine all witnesses testifying at the hearing, to
2 subpoena witnesses to testify at the hearing and to have an impartial administrative law judge present at
3 the hearing to act as a hearing officer.

4 It is further stipulated and agreed that Respondents violated the Political Reform Act in that
5 failed to file a late contribution report in violation of Government Code section 84203 (1 count) and
6 failed to file a pre-election statement in violation of Government Code section 84200.5 as described in
7 Exhibit 1, attached hereto and incorporated herein by reference, which is a true and accurate summary of
8 the facts in this matter.

9 Respondents agree to the issuance of the Decision and Order and imposition by the Commission
10 of a fine in the amount of two thousand five hundred dollars (\$2,500), and a cashier's check in said
11 amount, payable to the "General Fund of the State of California," is submitted herewith to be held by the
12 State of California until the Commission issues its Decision and Order.

13 The parties agree that in the event the Commission refuses to accept this Stipulation, it shall
14 become null and void, and within fifteen (15) business days after the Commission meeting at which this
15 Stipulation is rejected, payments tendered shall be reimbursed to the Respondent. Respondents further
16 stipulate and agree that in the event the Commission rejects the Stipulation and a full evidentiary hearing
17 before the Commission becomes necessary, no member of the Commission, nor the Executive Director,
18 shall be disqualified because of prior consideration of this Stipulation.

19
20 Dated: _____

Wayne K. Strumpfer
Executive Director
Fair Political Practices Commission

21
22
23 Dated: _____

Eris H. Wagner, Respondent

24
25 Dated: _____

Eris Wagner for Superior Court Judge, Respondent

ORDER

The foregoing stipulation of the parties “In the Matter of Eris H. Wagner and Eris Wagner for Superior Court Judge, FPPC No. 00/851,” including all attached exhibits, is hereby accepted as the final decision and order of the Fair Political Practices Commission, effective upon execution below by the Chairman.

IT IS SO ORDERED.

Dated: _____

Karen A. Getman, Chairman
Fair Political Practices Commission

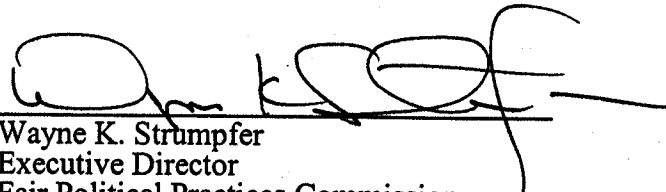
1 subpoena witnesses to testify at the hearing and to have an impartial administrative law judge present at
2 the hearing to act as a hearing officer.

3 It is further stipulated and agreed that Respondents violated the Political Reform Act in that
4 failed to file a late contribution report in violation of Government Code section 84203 (1 count) and
5 failed to file a pre-election statement in violation of Government Code section 84200.5 as described in
6 Exhibit 1, attached hereto and incorporated herein by reference, which is a true and accurate summary of
7 the facts in this matter.

8 Respondents agree to the issuance of the Decision and Order and imposition by the Commission
9 of a fine in the amount of two thousand five hundred dollars (\$2,500), and a cashier's check in said
10 amount, payable to the "General Fund of the State of California," is submitted herewith to be held by the
11 State of California until the Commission issues its Decision and Order.

12 The parties agree that in the event the Commission refuses to accept this Stipulation, it shall
13 become null and void, and within fifteen (15) business days after the Commission meeting at which this
14 Stipulation is rejected, payments tendered shall be reimbursed to the Respondent. Respondents further
15 stipulate and agree that in the event the Commission rejects the Stipulation and a full evidentiary hearing
16 before the Commission becomes necessary, no member of the Commission, nor the Executive Director,
17 shall be disqualified because of prior consideration of this Stipulation.


18
19 Dated: 6/14/01


Wayne K. Strumpfer
Executive Director
Fair Political Practices Commission

21
22 Dated: 6/14/01


Eris H. Wagner, Respondent

23
24 Dated: 6/14/01


Eris Wagner for Superior Court Judge, Respondent